# EXHIBIT I

From: Lustberg, Lawrence S

Sent: Tuesday, February 22, 2022 1:39 PM

To: Thomas, Andrew (USANYS); Valen, Thomas R.

Nagel, Jeffrey L.; Reich, Kevin R.; Podolsky, Matthew (USANYS); Rossmiller, Alexander Cc:

(USANYS)

Subject: RE: [EXTERNAL] Re: Archegos: Gibbons P.C. Presentation re Bill Hwang

Thanks, Andrew – and sorry, I was literally just sitting down to email you. We would propose March 15 and 25 – I know this is a little later than we discussed, and that the gap between the two dates is 10 days instead of 7, but honestly, this is about my difficult schedule these days (including that I am out of town from March 16 – 22<sup>nd</sup>. And as I said, I have 3 oral arguments the first week of March and just had another scheduled in EDNY on March 9, and so it has become difficult to get days both to meet and to prep. We hope those days work for you – promise we are not delaying, only trying to schedule around other court commitments (and a long-scheduled, if short, ski vacation). Let us know if those days work, as well as where you want to do these – and again, thanks to all of you for your patience and professionalism.

# Larry (and Tom)

# LAWRENCE S. LUSTBERG | Director

Commercial & Criminal Litigation Group t: 973-596-4731 | c: 201-407-4765 | f: 973-639-6285

llustberg@gibbonslaw.com | bio

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From: Thomas, Andrew (USANYS) < Andrew. Thomas 2@usdoj.gov>

Sent: Tuesday, February 22, 2022 1:28 PM

To: Lustberg, Lawrence S < LLustberg@gibbonslaw.com>; Valen, Thomas R. < TValen@gibbonslaw.com>

Cc: Nagel, Jeffrey L. <JNagel@gibbonslaw.com>; Reich, Kevin R. <KReich@gibbonslaw.com>; Podolsky, Matthew (USANYS) <Matthew.Podolsky@usdoj.gov>; Rossmiller, Alexander (USANYS) <Alexander.Rossmiller@usdoj.gov>

Subject: RE: [EXTERNAL] Re: Archegos: Gibbons P.C. Presentation re Bill Hwang

Gentlemen-

Have you had a chance to give further thought to potential dates for two meetings?

Sincerely, **Andrew** 

From: Thomas, Andrew (USANYS)

Sent: Thursday, February 17, 2022 1:38 PM

To: Lustberg, Lawrence S < LLustberg@gibbonslaw.com >

Cc: Valen, Thomas R. <TValen@gibbonslaw.com>; Nagel, Jeffrey L. <JNagel@gibbonslaw.com>; Reich, Kevin R.

# Case 1:22-cr-00240-AKH Document 51-9 Filed 12/02/22 Page 3 of 16

<<u>KReich@gibbonslaw.com</u>>; Podolsky, Matthew (USANYS) <<u>MPodolsky@usa.doj.gov</u>>; Rossmiller, Alexander (USANYS) <ARossmiller@usa.doj.gov> Subject: RE: [EXTERNAL] Re: Archegos: Gibbons P.C. Presentation re Bill Hwang Thanks, Larry. From: Lustberg, Lawrence S < LLustberg@gibbonslaw.com> Sent: Thursday, February 17, 2022 1:35 PM To: Thomas, Andrew (USANYS) < AThomas@usa.doj.gov> Cc: Valen, Thomas R. <<u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. <<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>; Podolsky, Matthew (USANYS) <<u>MPodolsky@usa.doj.gov</u>>; Rossmiller, Alexander (USANYS) <ARossmiller@usa.doj.gov> Subject: RE: [EXTERNAL] Re: Archegos: Gibbons P.C. Presentation re Bill Hwang That works – thanks. I will circulate a call-in. LAWRENCE S. LUSTBERG | Director Commercial & Criminal Litigation Group **t**: 973-596-4731 | **c**: 201-407-4765 | **f**: 973-639-6285 llustberg@gibbonslaw.com | bio Gibbons P.C. | One Gateway Center | Newark, NJ 07102-5310 m: 973-596-4500 | f: 973-596-0545 | office | map gibbonslaw.com | gibbonslawalert.com From: Thomas, Andrew (USANYS) < Andrew. Thomas 2@usdoj.gov> Sent: Thursday, February 17, 2022 1:14 PM To: Lustberg, Lawrence S < LLustberg@gibbonslaw.com> Cc: Valen, Thomas R. <TValen@gibbonslaw.com>; Nagel, Jeffrey L. <JNagel@gibbonslaw.com>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>; Podolsky, Matthew (USANYS) <<u>Matthew.Podolsky@usdoj.gov</u>>; Rossmiller, Alexander (USANYS) < Alexander. Rossmiller@usdoj.gov> Subject: Re: [EXTERNAL] Re: Archegos: Gibbons P.C. Presentation re Bill Hwang How about 2pm tomorrow? On Feb 17, 2022, at 12:56 PM, Lustberg, Lawrence S < LLustberg@gibbonslaw.com > wrote: Andrew -- Looks like tomorrow will be better for us – we have availability from 10-11 and 12-3. Hope that works for you guys. Sorry for the scheduling complications. Thanks so much. Larry

LAWRENCE S. LUSTBERG | Director

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 $\underline{Ilustberg@gibbonslaw.com} \mid \underline{bio}$ 

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gibbonslaw.com   gibbonslawalert.com
From: Thomas, Andrew (USANYS) < <u>Andrew.Thomas2@usdoj.gov</u> > Sent: Thursday, February 17, 2022 11:30 AM
<b>To:</b> Valen, Thomas R. <a href="mailto:Alustberg@gibbonslaw.com">To: Valen, Lustberg@gibbonslaw.com</a>; Reich, Kevin R. <a href="mailto:KReich@gibbonslaw.com">KReich@gibbonslaw.com</a>; Podolsky, Matthew (USANYS) <a href="mailto:Matthew.Podolsky@usdoj.gov">Matthew.Podolsky@usdoj.gov</a>; Rossmiller, Alexander (USANYS)</a></a></a>
<a href="mailto:&lt;/a&gt; &lt;a href=" mailto:alexander.rossmiller@usdoj.gov"="">Alexander.Rossmiller@usdoj.gov</a> <a href="mailto:Subject">Subject: RE: [EXTERNAL] Re: Archegos: Gibbons P.C. Presentation re Bill Hwang</a>
Would there be a convenient time to speak this afternoon? Or tomorrow?
From: Valen, Thomas R. < TValen@gibbonslaw.com >
Sent: Tuesday, February 15, 2022 5:00 PM  To: Lustberg, Lawrence S < LLustberg@gibbonslaw.com >; Thomas, Andrew (USANYS)
<a href="https://www.com/">AThomas@usa.doj.gov&gt;</a>
Cc: Nagel, Jeffrey L. < <u>JNagel@gibbonslaw.com</u> >; Reich, Kevin R. < <u>KReich@gibbonslaw.com</u> >; Podolsky,
Matthew (USANYS) < <a href="mailto:MPodolsky@usa.doj.gov">MPodolsky@usa.doj.gov</a> >; Rossmiller, Alexander (USANYS)
< <u>ARossmiller@usa.doj.gov</u> >
Subject: RE: [EXTERNAL] Re: Archegos: Gibbons P.C. Presentation re Bill Hwang
I can do any time in the morning Thursday.
THOMAS R. VALEN   Director
Vice Chair, Commercial & Criminal Litigation Group
t: 973-596-4885   c: 201-407-4736   f: 973-639-6240
tvalen@gibbonslaw.com   bio
<b>Gibbons P.C.</b>   One Gateway Center   Newark, NJ 07102-5310 <b>m:</b> 973-596-4500   <b>f:</b> 973-596-0545   office   map
<image006.jpg></image006.jpg>
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From: Lustberg, Lawrence S < LLustberg@gibbonslaw.com > Sent: Tuesday, February 15, 2022 4:59 PM

To: Thomas, Andrew (USANYS) < <a href="mailto:Andrew.Thomas2@usdoj.gov">Andrew.Thomas2@usdoj.gov</a>>

**Cc:** Valen, Thomas R. <<u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. <<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>; Podolsky, Matthew (USANYS) <<u>Matthew.Podolsky@usdoj.gov</u>>;

Rossmiller, Alexander (USANYS) < <u>Alexander.Rossmiller@usdoj.gov</u>>

Subject: RE: [EXTERNAL] Re: Archegos: Gibbons P.C. Presentation re Bill Hwang

# Case 1:22-cr-00240-AKH Document 51-9 Filed 12/02/22 Page 5 of 16

No problem and totally understand, including that I totally understand how Magistrate Court can be. Tomorrow I have a sentencing at 2:00 which may go a while – should we look to Thursday?

L	<b>AWREN</b>	CE S.	<b>LUSTBERG</b>	Director

Commercial & Criminal Litigation Group

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From: Thomas, Andrew (USANYS) < <a href="mailto:Andrew.Thomas2@usdoj.gov">Andrew.Thomas2@usdoj.gov</a>>

Sent: Tuesday, February 15, 2022 4:55 PM

**To:** Lustberg, Lawrence S < LLustberg@gibbonslaw.com>

**Cc:** Valen, Thomas R. < <a href="mailto:TValen@gibbonslaw.com">TValen@gibbonslaw.com</a>>; Nagel, Jeffrey L. < <a href="mailto:JNagel@gibbonslaw.com">JNagel@gibbonslaw.com</a>>; Reich, Kevin R. < <a href="mailto:KReich@gibbonslaw.com">KReich@gibbonslaw.com</a>>; Podolsky, Matthew (USANYS) < <a href="mailto:Matthew.Podolsky@usdoj.gov">Matthew.Podolsky@usdoj.gov</a>>;

Rossmiller, Alexander (USANYS) < <u>Alexander.Rossmiller@usdoj.gov</u>>

Subject: Re: [EXTERNAL] Re: Archegos: Gibbons P.C. Presentation re Bill Hwang

Larry,

Very sorry for the late notice, but we will have to reschedule. I've been seriously delayed in magistrate court and won't be free by 5pm.

Andrew

On Feb 15, 2022, at 4:17 PM, Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>> wrote:

Andrew. — Not sure if I got back to you but yes we can do 5:00. And we can use my call-in. 866-793-9719,,2655114#.

Larry

Sent from my iPhone

On Feb 15, 2022, at 12:46 PM, Thomas, Andrew (USANYS) <a href="mailto:Andrew.Thomas2@usdoj.gov">Andrew.Thomas2@usdoj.gov</a> wrote:

Larry—

5:00pm would work for us, if it works for you.

Thanks,

#### Andrew

From: Lustberg, Lawrence S < LLustberg@gibbonslaw.com>

Sent: Tuesday, February 15, 2022 7:54 AM

To: Thomas, Andrew (USANYS) < AThomas@usa.doj.gov>; Rossmiller,

Alexander (USANYS) < ARossmiller@usa.doj.gov >

Cc: Valen, Thomas R. < TValen@gibbonslaw.com >; Nagel, Jeffrey L.

<<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>;

Podolsky, Matthew (USANYS) < <a href="mailto:MPodolsky@usa.doj.gov">MPodolsky@usa.doj.gov</a>>

Subject: [EXTERNAL] RE: Archegos: Gibbons P.C. Presentation re Bill

Hwang

Andrew – Thanks for your email. Can you do a call late today, at say 4:30 or so? Tom and I have a couple of things on today before that time.

Larry

#### LAWRENCE S. LUSTBERG | Director

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llustberg@gibbonslaw.com | bio

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From: Thomas, Andrew (USANYS) < <a href="mailto:Andrew.Thomas2@usdoj.gov">Andrew.Thomas2@usdoj.gov</a>>

Sent: Monday, February 14, 2022 5:42 PM

To: Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>>; Rossmiller,

Alexander (USANYS) < Alexander.Rossmiller@usdoj.gov >

**Cc:** Valen, Thomas R. < <a href="mailto:TValen@gibbonslaw.com">TValen@gibbonslaw.com</a>; Nagel, Jeffrey L. </a> <a href="mailto:JNagel@gibbonslaw.com">JNagel@gibbonslaw.com</a>; Reich, Kevin R. <a href="mailto:KReich@gibbonslaw.com">KReich@gibbonslaw.com</a>;

Podolsky, Matthew (USANYS) < <u>Matthew.Podolsky@usdoj.gov</u>>

Subject: RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Larry—

Could set up a quick phone call, perhaps tomorrow, to discuss further the potential interview of Mr. Hwang? We want to explore the possibility of setting up two dates, a week apart, with agreement on certain topics to be primarily addressed on each date and perhaps a topic or two that will not be the focus on either day.

Thanks, Andrew

**From:** Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>>

Sent: Monday, February 7, 2022 10:26 AM

# Case 1:22-cr-00240-AKH Document 51-9 Filed 12/02/22 Page 7 of 16

**To:** Rossmiller, Alexander (USANYS) < <u>ARossmiller@usa.doj.gov</u>> **Cc:** Valen, Thomas R. < <u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. < <u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. < <u>KReich@gibbonslaw.com</u>>; Podolsky, Matthew (USANYS) < <u>MPodolsky@usa.doj.gov</u>>; Thomas, Andrew (USANYS) < <u>AThomas@usa.doj.gov</u>>

**Subject:** [EXTERNAL] RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Yes, sorry – you asked that too. I am thinking an hour and half, though we think it is likely that we can do it in about an hour.

#### LAWRENCE S. LUSTBERG | Director

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**From:** Rossmiller, Alexander (USANYS) < <u>Alexander.Rossmiller@usdoj.gov</u>>

Sent: Monday, February 7, 2022 10:20 AM

**To:** Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>>

**Cc:** Valen, Thomas R. <<u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. <<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>;

Podolsky, Matthew (USANYS) < <a href="mailto:Matthew.Podolsky@usdoj.gov">Matthew.Podolsky@usdoj.gov</a>; Thomas, Andrew (USANYS) < <a href="mailto:Andrew.Thomas2@usdoj.gov">Andrew.Thomas2@usdoj.gov</a>> **Subject:** RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Understood, and thanks for the quick reply. I think we're likely to still be able to do Thursday, but to make sure, how much time should we be blocking off?

thanks, Alex.

From: Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>>

**Sent:** Monday, February 7, 2022 10:00

**To:** Rossmiller, Alexander (USANYS) < <u>ARossmiller@usa.doj.gov</u>> **Cc:** Valen, Thomas R. < <u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L.

<<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>;

Podolsky, Matthew (USANYS) < <a href="mailto:MPodolsky@usa.doj.gov">MPodolsky@usa.doj.gov</a>>; Thomas,

Andrew (USANYS) < <a href="mailto:AThomas@usa.doj.gov">AThomas@usa.doj.gov</a>>

**Subject:** [EXTERNAL] RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Hey Alex – We can't do Friday; Tom has a long planned (and very well-deserved) weekend away and is not available on Friday or Monday. We

could postpone until Tuesday, if Thursday does not work for you. Just let us know. Sorry for the scheduling issues.

Larry

#### LAWRENCE S. LUSTBERG | Director

Commercial & Criminal Litigation Group

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m: 973-596-4500 | f: 973-596-0545 | office | map

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**From:** Rossmiller, Alexander (USANYS) < <u>Alexander.Rossmiller@usdoj.gov</u>>

Sent: Sunday, February 6, 2022 11:48 PM

**To:** Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>>

**Cc:** Valen, Thomas R. < <a href="mailto:TValen@gibbonslaw.com">TValen@gibbonslaw.com</a>; Nagel, Jeffrey L. < <a href="mailto:JNagel@gibbonslaw.com">JNagel@gibbonslaw.com</a>; Reich, Kevin R. < <a href="mailto:KReich@gibbonslaw.com">KReich@gibbonslaw.com</a>;

Podolsky, Matthew (USANYS) < <a href="mailto:Matthew.Podolsky@usdoj.gov">Matthew.Podolsky@usdoj.gov</a>;
Thomas, Andrew (USANYS) < <a href="mailto:Andrew.Thomas2@usdoj.gov">Andrew.Thomas2@usdoj.gov</a>>
Subject: PE: Archages: Gibbons P. C. Prosentation to Pill Hugang

Subject: RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Larry,

We're still working through schedules here but are hoping to be able to finalize tomorrow. Two quick questions to help along that process – first, do you have an estimate of how much time we should plan to block off? And second, in addition to Thursday morning, do you have availability on Friday either in the morning before 11:00 or in the afternoon at 2:00 or later?

thanks, Alex.

From: Thomas, Andrew (USANYS) < AThomas@usa.doj.gov>

Sent: Thursday, February 3, 2022 15:23

To: Lustberg, Lawrence S < LLustberg@gibbonslaw.com>

**Cc:** Valen, Thomas R. <<u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. <<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>; Podolsky, Matthew (USANYS) <<u>MPodolsky@usa.doj.gov</u>>; Rossmiller,

Alexander (USANYS) < ARossmiller@usa.doj.gov>

Subject: RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Hi Larry—

Can we tentatively plan for next Thursday morning? Alex and Matt are both tied up today, but I will confirm with you as soon as I able to check their calendars.

For the interview with Bill, it would still be most helpful to try to accomplish that at the end of this month. But happy to speak about what is realistic next week, and to pick a date that works for everyone.

#### Andrew

From: Lustberg, Lawrence S < LLustberg@gibbonslaw.com>

Sent: Thursday, February 3, 2022 3:13 PM

**To:** Thomas, Andrew (USANYS) < <u>AThomas@usa.doj.gov</u>>

**Cc:** Valen, Thomas R. <<u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. <<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>; Podolsky, Matthew (USANYS) <<u>MPodolsky@usa.doj.gov</u>>; Rossmiller, Alexander (USANYS) <<u>ARossmiller@usa.doj.gov</u>>

**Subject:** [EXTERNAL] RE: Archegos: Gibbons P.C. Presentation re Bill

Hwang

Friends – Apologies for the delay in getting back to you (I promised early this week and it is late in the week). Anyway, wondering about your availability for a meeting either the second half of next week or early the following for us to answer the pending questions that were generated by our first session, and thereafter. In the course of that, we can also discuss a time for Bill's interview. So let us know what your schedules look like.

Thanks and hope all is well.

Larry

LAWRENCE S. LUSTBERG | Director

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From: Thomas, Andrew (USANYS) < <u>Andrew.Thomas2@usdoj.gov</u>>

**Sent:** Tuesday, January 18, 2022 9:50 AM

**To:** Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>>

Cc: Valen, Thomas R. <TValen@gibbonslaw.com>; Nagel, Jeffrey L.

<<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>;

Podolsky, Matthew (USANYS) < <a href="mailto:Matthew.Podolsky@usdoj.gov">"> (Matthew.Podolsky@usdoj.gov">);</a>

Rossmiller, Alexander (USANYS) < <u>Alexander.Rossmiller@usdoj.gov</u>>

Subject: RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Thanks, Larry. We will wait to hear from you.

From: Lustberg, Lawrence S < LLustberg@gibbonslaw.com >

Sent: Tuesday, January 18, 2022 9:00 AM

To: Thomas, Andrew (USANYS) < AThomas@usa.doj.gov >

**Cc:** Valen, Thomas R. <<u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. <<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>; Podolsky, Matthew (USANYS) <<u>MPodolsky@usa.doj.gov</u>>; Rossmiller,

Alexander (USANYS) < ARossmiller@usa.doj.gov >

**Subject:** [EXTERNAL] RE: Archegos: Gibbons P.C. Presentation re Bill

Hwang

Andrew – We expect to be able to get back to you sometime early the week after next (sorry for the delay – I will actually be on vacation in Colorado from January 20<sup>th</sup> to 27<sup>th</sup>). Our hope is to set up a call or zoom to go over our answers with you. And then we are thinking about late February or perhaps very early March for a meeting with Bill – hopefully in person and hopefully unmasked – but we can talk about all of that when we meet to go over these pending questions. Let me know how that sounds to you.

Thanks and best regards – hope you had a nice holiday weekend.

Larry

#### LAWRENCE S. LUSTBERG | Director

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From: Thomas, Andrew (USANYS) < Andrew. Thomas 2@usdoj.gov>

**Sent:** Friday, January 14, 2022 8:17 PM

**To:** Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>>

**Cc:** Valen, Thomas R. < <a href="mailto:TValen@gibbonslaw.com">TValen@gibbonslaw.com</a>; Nagel, Jeffrey L. </a> <a href="mailto:JNagel@gibbonslaw.com">JNagel@gibbonslaw.com</a>; Reich, Kevin R. <a href="mailto:KReich@gibbonslaw.com">KReich@gibbonslaw.com</a>;

Podolsky, Matthew (USANYS) < <a href="mailto:Matthew.Podolsky@usdoj.gov">Matthew.Podolsky@usdoj.gov">Matthew.Podolsky@usdoj.gov</a>; Rossmiller, Alexander (USANYS) < <a href="mailto:Alexander.Rossmiller@usdoj.gov">Alexander.Rossmiller@usdoj.gov</a>>

Subject: RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Hi Larry—

Thanks again for the presentation, for the follow-up, and for the willingness to address our questions. We look forward to the continued dialogue.

We have a few additional thoughts to add to your list. Longer term, however, we do think that it is going to be helpful to hear from Mr. Hwang directly. If an interview of Mr. Hwang is something that you and he remain willing to consider, we would propose to reserve a date in mid-February or perhaps late February to keep open for that purpose. Let us know if that makes sense to you. We are, of course, happy to discuss procedure, format, and topics as we move forward.

# Some notes and questions:

- We hope our continued conversation with you will give us an understanding of Mr. Hwang's personal perspective and understanding. We aren't aiming to prompt you to find a general institutional answer to our questions; we can engage with Archegos's counsel for matters that may lie outside of Mr. Hwang's awareness.
- Within the "Research Issues" bucket
  - Did Mr. Hwang have an understanding of what day-today role Mr. Mills played in oversight of the research teams, if any?
  - Did Mr. Hwang convey analytical guidance to analysts?
     For example, did he say what metrics to focus on or whether to use (or not use) certain quantitative models or modeling assumptions? Did Mr. Hwang's guidance on these matters change over time?
- Within the "trading issues" bucket
  - What were Mr. Hwang's practices with respect to sharing or not sharing his investment strategy/portfolio composition with non-bank outsiders? For example, with other hedge funds, industry colleagues, Tiger cubs, etc.
  - We understand Mr. Hwang received a number of reports daily or weekly about positions, cash, margin, etc. What were the routine reports that Mr. Hwang asked to receive and why did he wish to receive those specific reports?
  - What is Mr. Hwang's understanding of capacity limits or other trade restrictions imposed by banks and counterparties?
  - Where there occasions when Mr. Hwang directed traders to buy and sell the same security during the course of the same trading day? Why?
- Interactions with banks
  - We wanted to make sure we understood fully your remarks about Mr. Hwang's knowledge of interactions between Archegos and its counterparties, and the extent of Mr. Hwang's involvement (or lack thereof) in those interactions:
    - What role did Mr. Hwang play in the selection of counterparties?

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- What information did Mr. Hwang authorize (or not authorize) be shared with banks and counterparties about the business?
- Is Mr. Hwang aware of any misrepresentation made by an Archegos employee to a bank representative?

Sincerely,

Andrew, Alex, and Matt

**From:** Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>>

Sent: Thursday, January 13, 2022 6:20 AM

**To:** Rossmiller, Alexander (USANYS) < <u>ARossmiller@usa.doj.gov</u>> **Cc:** Valen, Thomas R. < <u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. < <u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. < <u>KReich@gibbonslaw.com</u>>; Thomas, Andrew (USANYS) < <u>AThomas@usa.doj.gov</u>>; Podolsky,

Matthew (USANYS) < <a href="mailto:MPodolsky@usa.doj.gov">MPodolsky@usa.doj.gov</a>>

**Subject:** [EXTERNAL] RE: Archegos: Gibbons P.C. Presentation re Bill

Hwang

Thanks, Alex – talk to you soon.

Larry

#### LAWRENCE S. LUSTBERG | Director

Co-Chair, Commercial & Criminal Litigation Group t: 973-596-4731 | c: 201-407-4765 | f: 973-639-6285 | llustberg@gibbonslaw.com | bio

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<image005.jpg>

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**From:** Rossmiller, Alexander (USANYS) <Alexander.Rossmiller@usdoj.gov>

Sent: Wednesday, January 12, 2022 7:22 PM

**To:** Lustberg, Lawrence S < <u>LLustberg@gibbonslaw.com</u>>

**Cc:** Valen, Thomas R. <<u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. <<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>>; Thomas, Andrew (USANYS) <<u>Andrew.Thomas2@usdoj.gov</u>>; Podolsky,

Matthew (USANYS) < <a href="mailto:Matthew.Podolsky@usdoj.gov">Matthew.Podolsky@usdoj.gov</a>>

Subject: RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Larry – we didn't want to leave you hanging on this from yesterday, so just wanted to let you know we've received it and we expect to get back to you shortly. Thanks for sending, and we'll reply with any additions in the next day or so.

best, Alex.

From: Lustberg, Lawrence S < LLustberg@gibbonslaw.com >

Sent: Tuesday, January 11, 2022 08:43

**To:** Thomas, Andrew (USANYS) < <u>AThomas@usa.doj.gov</u>>; Rossmiller, Alexander (USANYS) < <u>ARossmiller@usa.doj.gov</u>>; Podolsky, Matthew (USANYS) < <u>MPodolsky@usa.doj.gov</u>>

**Cc:** Valen, Thomas R. <<u>TValen@gibbonslaw.com</u>>; Nagel, Jeffrey L. <<u>JNagel@gibbonslaw.com</u>>; Reich, Kevin R. <<u>KReich@gibbonslaw.com</u>> **Subject:** [EXTERNAL] FW: Archegos: Gibbons P.C. Presentation re Bill Hwang

Andrew, Alex, Matt -

I hope you all had a good weekend. As a follow-up to my email of Friday, below are the questions (organized by topic) that we recall you posing during our January 7 meeting. We are sending these to you in advance of our preparation of answers, as promised, so that you have the chance to review them and either add to or otherwise modify them. We want to address the issues most helpful to your investigation and make sure we are providing you with the information you want and need as quickly as possible. Please note that for some of these items, although we did address the subject generally during our meeting, we thought from the discussion that additional detail would be helpful to you. In any event, we look forward to providing you with prompt responses once we confirm that these items cover the information you would like. Let us know.

#### 1. Research issues:

- a. How did Bill utilize the research he was given? What factors would Bill consider when adjusting a target price for a stock?
- b. Would Bill memorialize any differences with his research team and (if so) how? (See also Question 3(b) below).
- c. Who did the research teams report to and who provided oversight in the research area? [

#### 2. Investment/trading issues:

- a. Was the investment philosophy of the fund consistent throughout 2020 and 2021, beginning in January 2020?
- b. Why did the fund take its position in GSX? Was it consistent with other fund holdings / philosophy? How did it relate to the pandemic?
- Were any changes in both the overall concentration of investment holdings and the names of holdings between

January 2020 and March 2021 consistent with the fund's strategy? What explains any changes? (Addressing Slide 17, and extending back to January 2020)

## 3. Compliance Issues:

- a. How, if at all, was compliance involved when trades were executed outside the parameters of a research memo (i.e., at a higher target price)?
- b. Did compliance document Bill's trading decisions, especially if those decisions appeared to conflict with research memos or price targets?
- c. Was there ever an instance when compliance did not allow a trade to proceed (for any reason other than MNPI / restricted list reasons)? If so, give details.

Thanks and best regards – hope everyone is staying well.

Larry

#### LAWRENCE S. LUSTBERG | Director

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<image005.jpg>

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From: Lustberg, Lawrence S

Sent: Friday, January 7, 2022 6:03 PM

**To:** Thomas, Andrew (USANYS) < <u>Andrew.Thomas2@usdoj.gov</u>>; Rossmiller, Alexander (USANYS) < <u>ARossmiller@usa.doj.gov</u>>; Podolsky, Matthew (USANYS) < <u>MPodolsky@usa.doj.gov</u>>; McDonald, Thomas W. (NY) (FBI) < <u>twmcdonald@fbi.gov</u>>; Bolinder, William Anthony (NY) (FBI)

# 

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< <u>WABOLINDER@fbi.gov</u>>; Economou-Ellison, Andreas (NY) (FBI)
```

<TValen@gibbonslaw.com>

Subject: RE: Archegos: Gibbons P.C. Presentation re Bill Hwang

Friends – Thank you for the opportunity to meet with you all today. As promised, and with apologies for the delay in getting this to you – my day just spun out of control – here is a .pdf of the power point we used this morning. By early next week, we will be able to get you a list of the questions that you posed to us today, to which we will provide responses, so that you can add to or otherwise modify them. And we will also be in touch about next steps.

Thanks again, and please be well and have a great weekend.

Larry

#### LAWRENCE S. LUSTBERG | Director

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-----Original Appointment-----

From: Thomas, Andrew (USANYS) < Andrew. Thomas 2@usdoj.gov>

Sent: Wednesday, January 5, 2022 9:17 AM

**To:** Rossmiller, Alexander (USANYS); Podolsky, Matthew (USANYS); McDonald, Thomas W. (NY) (FBI); Bolinder, William Anthony (NY) (FBI); Economou-Ellison, Andreas (NY) (FBI); Griswold, Andrea (USANYS); Hartman, Scott (USANYS); Lustberg, Lawrence S; Valen, Thomas R.

Subject: Archegos: Gibbons P.C. Presentation re Bill Hwang

When: Friday, January 7, 2022 10:00 AM-12:00 PM (UTC-05:00) Eastern

Time (US & Canada).

Where: WebEx - Details Below

-- Do not delete or change any of the following text. --

When it's time, join your Webex meeting here.

<sup>&</sup>lt;ameconomou-ellison@fbi.gov>; Griswold, Andrea (USANYS)

<sup>&</sup>lt;AGriswold@usa.doj.gov>; Hartman, Scott (USANYS)

<sup>&</sup>lt;SHartman@usa.doj.gov>; Valen, Thomas R.

# Join meeting

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Meeting password: rHDsJCGM986

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